

## **Responses to Action Items from March 5, 2019 CHEJ quarterly meeting**

**Prepared by Region 6**

**March 19, 2019**

### **San Jacinto – Jackie Young (TX Health and Environment Alliance)**

#### **Action Items:**

##### **1. Follow up with R6 on the CIP issues**

Region 6 is currently preparing the final draft Community Involvement Plan. The CIP will incorporate input received during the community interviews. The CIP will be released in late April 2019.

##### **2. What is happening on the waste classification issue**

The paper mill waste in the impoundments is not a listed RCRA hazardous waste. During the Phase 1 Pre-Design Investigation, the PRPs' consultant conducted testing on the waste material in both the northern and southern impoundments to determine if the waste would be a "characteristic" hazardous waste.

Based on the results from the Phase 1 Pre-Design Investigation, the impoundment waste is not a characteristic hazardous waste. Additional waste characterization will be conducted during the Phase 2 Pre-Design Investigation.

As non-hazardous waste, the material would meet the definition of Class 1 or Class 2 industrial waste under Texas regulations governing the classification of non-hazardous industrial solid waste, codified in Title 30 of the Texas Administrative Code (TAC), Part 1, Chapter 335 (Industrial Solid Waste and Municipal Hazardous Waste). Solids will be analyzed further as part of the Treatability Study to determine whether they meet Texas Commission on Environmental Quality (TCEQ) Class 1 or Class 2 non-hazardous landfill disposal requirements in 30 TAC §§335.505, 335.506, and 335.508.

##### **3. Can EPA address future barge accidents in health and safety plan?**

The Health and Safety Plan is for the protection of workers conducting work on the site. The HASP does not specifically address barge incidents but includes a framework for worker safety for a broad range of physical hazards at the site. EPA is working with the respondents to ensure the buoy float line and lighting system is properly located around the temporary cap area to prevent barge strikes at the Site.

##### **4. Follow up with R6 on ACOE permitting issue {moved from Jones Road notes}**

On February 13, 2019, EPA Region 6 submitted comments to the U.S. Army Corps of Engineers on a permit application submitted by the San Jacinto River Fleet. The work proposed by the applicant in the permit application is near the Site. EPA requested the applicant to conduct sampling in the proposed work area and provide detailed plans on how work will be conducted to not disturb and resuspend sediment.

#### **Jones Road – Jackie Young (TX Health and Environment Alliance)**

##### **Action Items:**

##### **1. Follow up with R6 about timing for work to start and how VI is being addressed**

Since the Proposed Plan Meeting in August 2017 and the issuance of the 2017 ROD Amendment in September 2017 the following activities have taken place at the Site

- **Residential Sample Results:** On February 1, 2018, EPA sent out groundwater sample results to six residents near the Jones Road Groundwater Plume Superfund Site. The results included three different sampling events conducted during 2015-2017 timeframe. Two of the six residential wells sampled exceeded Maximum Contaminant Levels (MCLs) for couple of contaminants. However, these residences are not using the well water as they are on the waterline service provided by White Oak Bend Municipal Utility District.
- **Hot-Spot Treatment for Shallow WBZ and Sampling:** In March 2018, EPA conducted hot-spot treatments in two locations within the shallow water-bearing zone in the parking lot of the Site. A follow-up sampling of the different monitoring wells in the area was conducted in May and November, 2018. Groundwater monitoring results from the shallow wells show orders of magnitude decline in the contaminant levels since ISB injections began in January 2016.
- **Vapor Mitigation System and Sampling:** In May 2018, EPA Removal Program installed the Vapor Mitigation System in three of the suites of the shopping complex about the source area of contamination. EPA conducted VMS post-installation indoor air sampling at the site in June and November, 2018. The sampling results indicate that the indoor air contaminant levels are below the Risk Screening Levels in all the three suites.

#### **Lane Plating – Corey Troiani and Olinka Green (TX Campaign for the Env.)**

##### **Action Items:**

##### **1. Follow up with R6 regarding community involvement/outreach issues**

- Criticized region for sending mailings to community about public meeting. Claimed mailing went only to residents within 300 ft of facility. Community members claimed they didn't see mailer; Dallas group got community out by going door-to-door.
  - The initial generated mailing list was in one square-mile radius of the site. This did not include the Joppa neighborhood, to which Ms. Green and Mr. Troiani are referring. EPA has since updated the mailing list to include the Joppa area.
- Why didn't EPA go door-to-door?
  - EPA went door-to-door during the NPL proposal process for the Lane Plating site. For the first community meeting EPA did not go door-to-door, nor is it standard procedure for EPA to do so.
- EPA did not use mailing list community provided.
  - EPA received the 200-name list and has updated the mailing list. No official communication in the form of a public notice or fact sheet has been issued since the meeting in November 2018.
- Complaint about TAG workshop (invitees limited).
  - EPA Region 6 Superfund did not hold a TAG workshop. If the community expresses interest in obtaining a TAG, a workshop will be scheduled.

## **2. Follow up with R6 regarding the CIP completion**

EPA plans to complete the CIP once the site Community Advisory Group is formed, and in concert with requested headquarter Conflict Resolution tasking.

## **3. Follow up with R6 on sampling delay and timing for results**

EPA Region 6 is planning on starting sampling in May 2019. The results will be provided to the community 60 days after completion of the sampling. This was clarified at the recent community meeting and in direct discussions with Olinka Green.

## **4. Can EPA conduct a health study/medical monitoring?**

ATSDR and the Texas Department of State Health Services are working on a public health assessment for the site. The community requests for medical monitoring will be considered as part of this process.

## **5. Following up on Region's inquiry for neutral facilitation support**

Region 6 is currently working with the identified OSRTI contacts to obtain this support.